

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

KRISTIAN J. DONNELL, SR.,

Civil No. 04-5086 (JNE/JGL)

Petitioner,

v.

ORDER

RED LAKE TRIBE, COURT,
CHIEF OF JAIL,

Respondents.

Kristian Donnell, Criminal Justice Complex, Highway 1, Red Lake, Minnesota, 56671, Petitioner, pro se.

Attorney Joseph Plumer, Plumer Law Office, 9352 North Grace Lake Road, Bemidji, Minnesota, 56601, for Respondents.

The above-entitled matter came before the Court upon the Report and Recommendation of the Chief United States Magistrate Judge. No objections have been filed to that Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, and all the files, records and proceedings herein,

IT IS HEREBY ORDERED that:

1. Petitioner's application for a writ of habeas corpus pursuant to 28 U.S.C. § 2241, (Docket No. 1), is **DENIED**; and

2. This action is **DISMISSED WITHOUT PREJUDICE.**

Dated: September 12, 2005

s/ Joan N. Erickson
JOAN N. ERICKSEN
Judge, U.S. District Court